PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, JUNE 27, 19 78

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening June 27 A.D., 19 78, in Regular Session. President Samuel J. Talarico in the chair, and Charles W. Westerman Clerk, at the desk, present the following members viz:

BURNS ✓, HINGA ✓, HUNTER ✓,
MOSES ✓, NUCKOLS ✓, DONALD SCHMIDT ✓,
VIVIAN SCHMIDT ✓, STIER ✓, TALARICO ✓,
ABSENT
COUNCILMAN , , ,
, , ,

The invocation was given by Reverend Charles Evanson - Redeemer Lutheran Church

Received report from the City Controller for the month of , 19 . Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last Regular , 19 ,
, 19 ,
Special , 19 ,
Session having been delivered to the Council, were, on motion, approved and published.

O GOD AND FATHER, we pray that of Your infinite Goodness You would direct the hearts of all who bear authority in this our city and home. Help them, and lead them, to make such laws and ordinances and resolves as will be in accordance with Your good and perfect Will for us, for the advancement of truth, justice, equity and propriety, and grant that under their administration, we may live together in peace and safety. Protect them, we beseech You, Good Lord, from every snare and deceit, and let no pride of power betray them into the rejection of Your purposes and Your authority over all, for baser gains or personal ends. And keep them in mind of Your sure and certain judgment over us all; through our Lord and Saviour, Jesus Christ.

cje 6/27/78

† and the welfare of this community.

6-27-78

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

June 20, 1978

6-27-78 MADE A MATTER OF RECORD
DATE CHARLES W. WESTERMAN, CITY CLERK

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, June 20, 1978, I have approved the following ordinances passed by Common Council at its regular meeting on June 13, 1978.

(Bill No. A-78-05-16)
APPROPRIATION ORDINANCE NO. A-16-78

AN ORDINANCE establishing a new account in the budget of the Board of Public Works and appropriating certain funds thereto

(Bill No. A-78-05-17)
APPROPRIATION ORDINANCE NO. A-17-78

AN ORDINANCE appropriating funds from Local Road & Street Fund No. 38 to Account No. 38-001-001 "General Project"

(Bill No. A-78-05-18)
APPROPRIATION ORDINANCE NO. A-18-78

AN ORDINANCE appropriating funds from the 1978 Anti-Recession Fund No. 36 to various items of the current budget of certain Depts.

(Bill No. A-78-05-19)
APPROPRIATION ORDINANCE NO. A-19-78

AN ORDINANCE appropriating funds from "Motor Vehicle Highway Special Distribution" Fund No. 29 to various accounts in the current budget of the Street Department and to an account in the current budget of the Board of Public Works

© F.W.B.C. 1974

(Bill No. S-78-05-21)
SPECIAL ORDINANCE NO. S-81-78

AN ORDINANCE approving Change Orders Nos. G-1, G-2, and G-3 in connection with Restoration of the Old City Hall

(Bill No. S-78-05-22)
SPECIAL ORDINANCE NO. S-82-78

AN ORDINANCE approving an Agreement to purchase Real Estate from Mrs. Henry E. Feltz for Neighborhood Care, Inc.

(Bill No. G-78-05-20)
GENERAL ORDINANCE NO. G-13-78

AN ORDINANCE amending Sec. 2-3 of the Code of the City of Fort Wayne, Indiana of 1974

(Bill No. R-78-06-10)
RESOLUTION NO. R-28-78

A RESOLUTION approving application for Program Reservation and Preliminary Loan for Low-Rent Public Housing

(Bill No. R-78-06-11)
RESOLUTION NO. R-29-78

A RESOLUTION authorizing payment to Schmidt Electric, Inc. and Crescent Electric Supply for signal repair parts for the Traffic Engineering Department (Signal Division)

(Bill No. G-77-09-24)
GENERAL ORDINANCE NO. G-15-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of a subdivision and a portion of a street

(Bill No. G-78-04-06)
GENERAL ORDINANCE NO. G-16-78

AN ORDINANCE amending General Ordinance No. G-97, by authorizing the vacation of certain streets and an alley

(Bill No. Z-77-06-37)
ZONING MAP ORDINANCE NO. Z-11-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD13

(Bill No. Z-78-02-27)
ZONING MAP ORDINANCE NO. Z-12-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N34

(Bill No. Z-78-04-24)
ZONING MAP ORDINANCE NO. Z-13-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD13

(Bill No. R-78-06-15)
RESOLUTION NO. R-27-78

A RESOLUTION: Rediscover America, a Code of Ethics for Public Employees

(Bill No. S-78-05-29)
SPECIAL ORDINANCE NO. S-83-78

AN ORDINANCE approving Civil City Blanket Purchase Orders Nos. B4-02487, B4-02488, & B4-02489 for materials for the Street Department

(Bill No. S-78-05-30)
SPECIAL ORDINANCE NO. S-84-78

AN ORDINANCE approving Civil City Blanket Purchase Order No. B4-02490 for materials for the Street Department

(Bill No. G-78-05-31)
GENERAL ORDINANCE NO. G-14-78

AN ORDINANCE approving the Board of Public Works proposed Capital Program Expenditures for 1979 and Amendment to the 1978 Capital improvement Expenditures

(Bill No. S-78-05-32)
SPECIAL ORDINANCE NO. S-85-78

AN ORDINANCE approving an Agreement with North Eastern Enterprises, Inc., for construction of a sanitary sewer

(Bill No. S-78-05-33)
SPECIAL ORDINANCE NO. S-86-78

AN ORDINANCE approving an Agreement with Ben Bunt Realty, Inc., for construction of a sanitary sewer

(Bill No. S-78-05-34)
SPECIAL ORDINANCE NO. S-87-78

AN ORDINANCE approving an Agreement with Woodmont Realty, Inc., for construction of a sanitary sewer

(Bill No. S-78-05-35)
SPECIAL ORDINANCE NO. S-88-78

AN ORDINANCE approving Change Order No. 2 in connection with Water Works Improvements - Wash Water Retention Basin, Contract #77-W-1

(Bill No. S-78-05-36)
SPECIAL ORDINANCE NO. S-89-78

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-9968 for materials for the Water & Water Pollution Control Engineering Depts.

(Bill No. S-78-05-37)
SPECIAL ORDINANCE NO. S-90-78

AN ORDINANCE approving City Utilities Purchase Order No. 9991 with Preferred Products for Aluminum Poles for Street Department

(Bill No. S-78-05-38)
SPECIAL ORDINANCE NO. S-91-78

AN ORDINANCE approving the First Addenda to Water Pollution Control Treatment Agreement between the City of Fort Wayne, Indiana and Leo-Cedarville Regional Sewer District

(Bill No. S-78-05-39)
SPECIAL ORDINANCE NO. S-92-78

AN ORDINANCE approving the First Addenda to Water Pollution Control Treatment Agreement between the City of Fort Wayne, Indiana and Maysville Regional Sanitary Sewer District

Respectfully yours,

Robert E. Armstrong
Mayor

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
Long Range Planning & Zoning

27 June 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-75-10-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
27th day of June, 1978.

Luben Lazoff
Secretary

6-27-78
DATE
MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CL

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

community development & planning
Long Range Planning & Zoning

27 June 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held June 26, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-75-10-14

2. From "B1B" to "B3B"

3. Intended Use: Not Given

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reasons:

   The Plan Commission originally in 1975 gave this ordinance a do pass recommendation with conditions. The petitioner did not respond to our request to meet these conditions and since then has not initiated any proceedings to do so.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING
Division of Long Range Planning & Zoning

Gary F. Baeten pb

Gary F. Baeten
Land Use Administrator

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-10-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 17, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

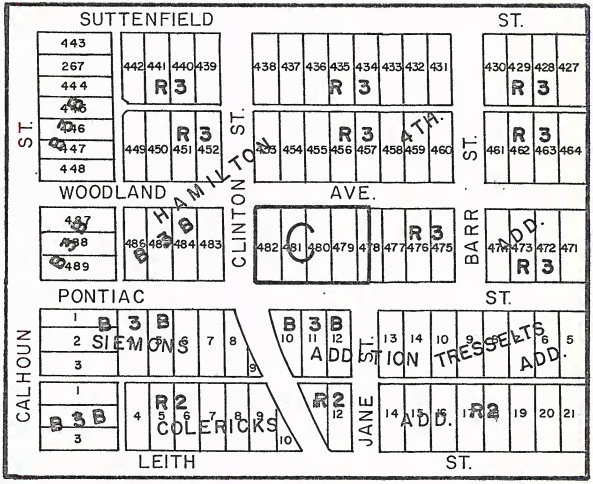
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 26, 1978.

Certified and signed this
27th day of June, 1978.

Luben Lazoff

Luben Lazoff
Secretary



C CHANGE FROM BIB TO B3B

N

Z-75-10-14

DATE 9-22-75

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
Long Range Planning & Zoning

27 June 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-74-03-16

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
27th day of June, 1978.

Luben Lazoff
Secretary

6-27-78
DATE MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

AN EQUAL OPPORTUNITY EMPLOYER

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
Long Range Planning & Zoning

27 June 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held June 26, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-74-03-16

2. From "RA" to "B1B"

3. Intended Use: Not Given

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   The petitioner has not made an effort to proceed with the rezoning of this property within a reasonable length of time.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning & Zoning

Gary F. Baeten (pb)

Gary F. Baeten
Land Use Administrator

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 12, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-03-16; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 13, 1974;

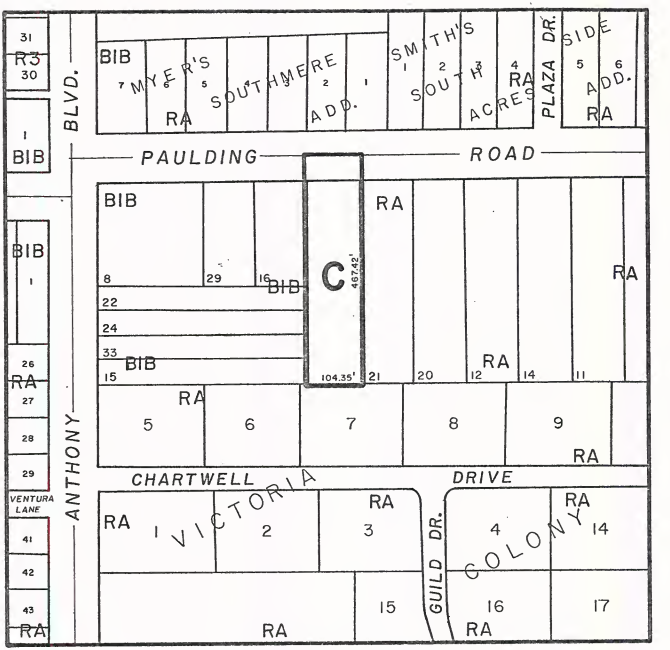
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 26, 1978.

Certified and signed this
27th day of June, 1978.

Luben Lazoff
Secretary



C CHANGE FROM RA TO BIB

Z-74-03-16

N

DATE 2-19-74

THE CITY OF FORT WAYNE

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community development & planning

Long Range Planning & Zoning

27 June 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-78-05-10

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
27th day of June 1978.

Luben Lazoff
Secretary

6-27-78
DATE MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

community development & planning
Long Range Planning & Zoning

27 June 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held June 27, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-78-05-10

2. From "R1" to "R3"

3. Intended Use: Insurance Office

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   a. The Commission feels that the rezoning of this property to "R3" would constitute spot zoning.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING
Division of Long Range Planning & Zoning

Gary F. Baeten

Gary F. Baeten
Land Use Administrator

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 8, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-05-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 19, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City and the amendment will be detrimental to and conflicts with the overall City Plan; and,

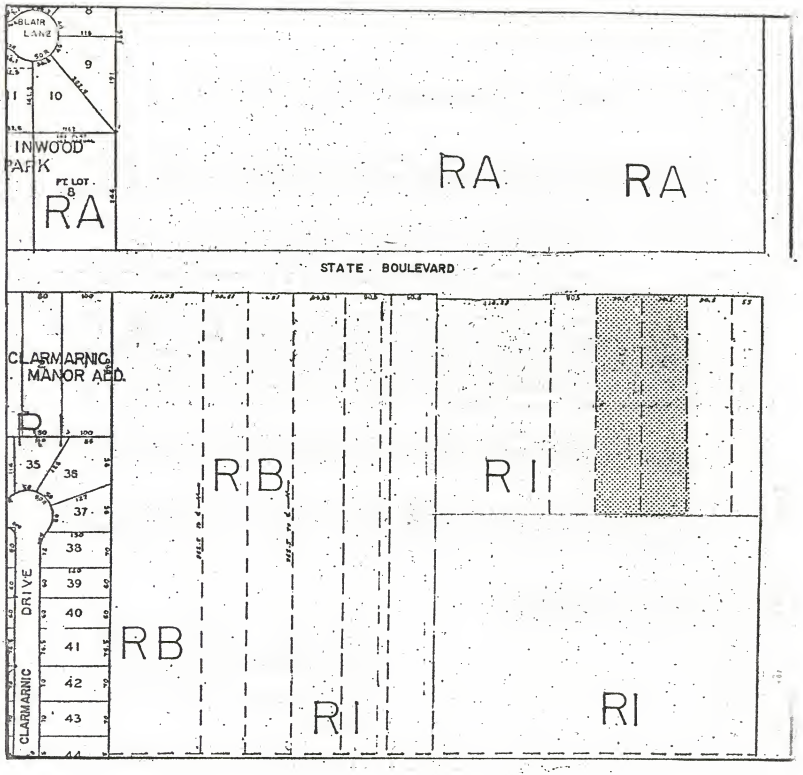
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 26, 1978.

Certified and signed this
27th day of June, 1978.

Luben Lazoff

Luben Lazoff
Secretary



REZONE FROM RI TO R3

MAP NO. S-14

Z-78-05-10

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THE CITY OF FORT WAYNE

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community development & planning
Long Range Planning & Zoning

27 June 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-78-05-27

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
27th day of June, 1978.

Luben Lazoff
Secretary

6-27-78
DATE MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

community development & planning
Long Range Planning & Zoning

27 June 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held June 26, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-78-05-27

2. From "R2" to "B1A"

3. Intended Use: Barber Shop

4. Plan Commission Recommendation: DO PASS

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning & Zoning

Gary F. Baeten

Gary F. Baeten
Land Use Administrator

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 23, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-05-27; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 19, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan:

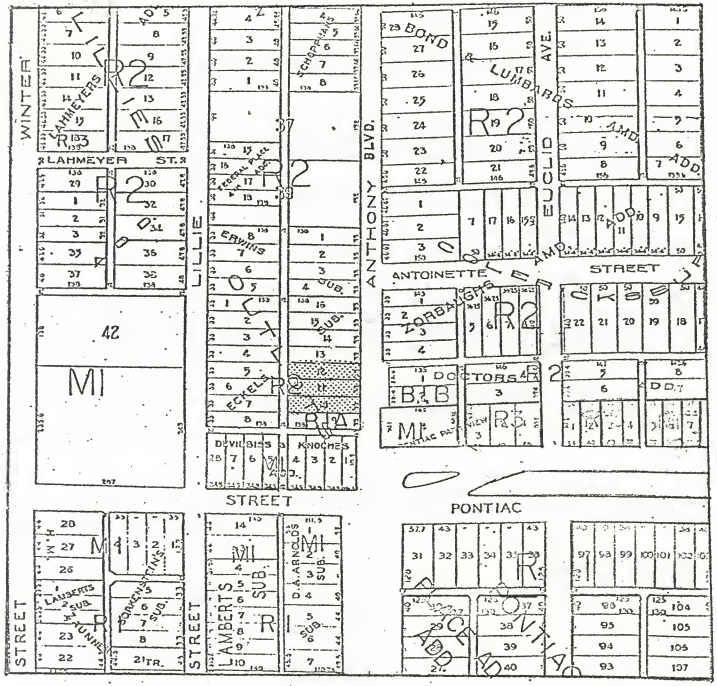
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 26, 1978.

Certified and signed this
27th day of June, 1978.

Luben Lazoff

Luben Lazoff
Secretary



REZONE FROM R-2 to B1A

MAP NO. 0-3

Z-78-05-27

BY M.F.C. 5-10-78

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THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

community development & planning
Long Range Planning & Zoning

27 June 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-78-05-26

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
27th day of June, 1978.

Luben Lazoff
Secretary

6-27-78
MADE A MATTER OF RECORD
DATE_____CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

community development & planning
Long Range Planning & Zoning

27 June 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held June 26, 1978. In addition to the reasons outlined in the resolution the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-78-05-26

2. From "RA" to "R3"

3. Intended Use: Insurance Office

4. Plan Commission Recommendation: DO PASS

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING
Division of Long Range Planning & Zoning

Gary F. Baeten

Gary F. Baeten
Land Use Administrator

GFB:pb

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 23, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-05-26; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 19, 1978;

NOW THEREFORE BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

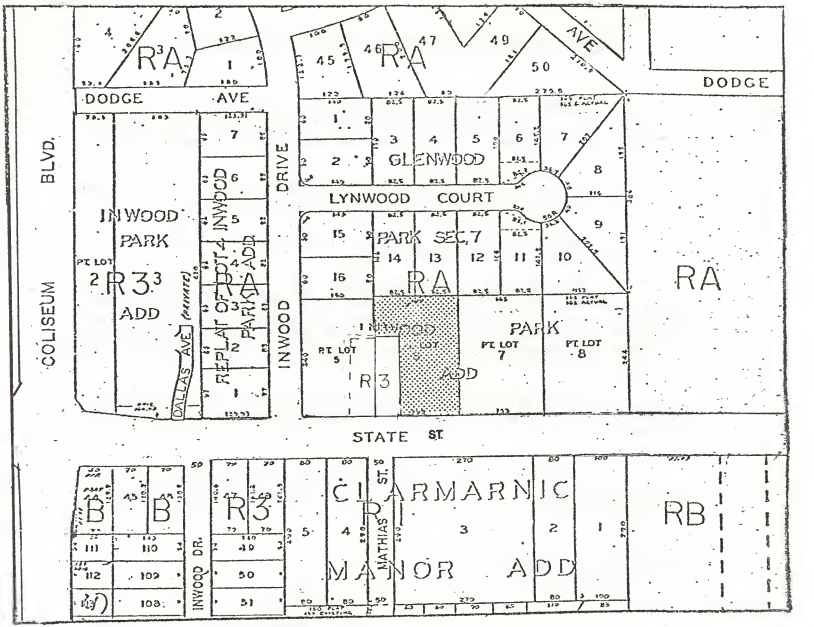
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 26, 1978.

Certified and signed this
27th day of June, 1978.

Luben Lazoff

Luben Lazoff
Secretary



REZONE FROM RA TO R3

MAP NO. S18

Z-78-05-26

BY M.E.C. 5-17-78

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THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
Long Range Planning & Zoning

21 June 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated public alley.

The proposed ordinance is designated as:

BILL NO. G-77-08-18

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
21st day of June, 1978.

Luben Lazoff
Secretary

6-27-78
MADE A MATTER OF RECORD
DATE_____CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
Long Range Planning & Zoning

21 June 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one alley vacation acted upon by the City Plan Commission at their regular meeting held October 24, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-77-08-18

2. Intended Use: Vacated alley will be used by abutting property owners.

3. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. The Commission feels that maintaining this property for future alley purposes serves no useful purpose to the city or abutting property owners.

If there are any questions with regard to this ordinance please feel free to call on us.

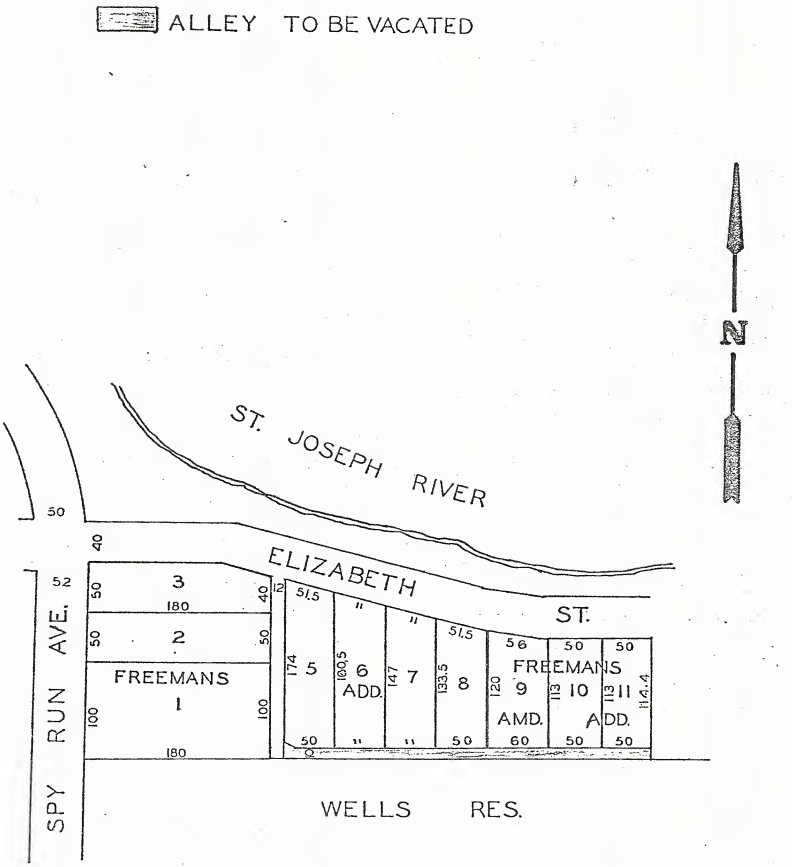
Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING
Division of Long Range Planning & Zoning

Gary F. Baeten
Land Use Administrator

GFB:pb

Attachment


ALLEY TO BE VACATED
N
ST. JOSEPH RIVER
ELIZABETH ST.
SPY RUN AVE.
WELLS RES.
FREEMANS ADD.
FREEMANS AMD.
1
2
3
5
6
7
8
9
10
11
50
40
52
180
100
174
160.5
147
133.5
120
113
114.4
60

G-77-08-18

R E S O L U T I O N

WHEREAS, WILLIAM H. LEE, FOREST RANS, ANGELA GARRETT, GERILA HAKE, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Fort Wayne, Allen County, to-wit:

> An east-west alley, extending east from the east right-of-way if the north-south alley, to its eastern terminus, lying south of Lots #5, 6, 7 & 8 Freeman's Addition and Lots #9, 10 & 11 of Freeman's Amended Addition

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on October 17, 1977, at 7:30 p'clock P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley.

WHEREAS, said vacation of the alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Luben Lazoff, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held October 24, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 21st DAY OF June, 1978

FORT WAYNE CITY PLAN COMMISSION

Luben Lazoff

Luben Lazoff
Secretary

65-127-16 11/2/77

R E S O L U T I O N

WHEREAS, William H. Lee, Forest Rans, Angela Garrett, Gerila Hake, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley situated in Fort Wayne, Allen County, Indiana, to-wit:

An east-west alley, extending east from the east right-of-way of the north-south alley, to its eastern terminus, lying south of Lots # 5, 6, 7 & 8 of Freeman's Addition and Lots # 9, 10 & 11 of Freeman's Amended Addition

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of alley has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Electrical Engineering, Park Board and thru the public utility companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alley, hereinbefore described be and the same is hereby approved subject to easements as required by Indiana and Michigan Electrical Company and General Telephone Company of Indiana.

BE IT FURTHER RESOLVED no public utility occupying and using said alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting held on November 2, 1977, and as the same appears of record in the official records of said Board of Public Works.

DATED THIS 2 DAY OF November, 1977

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G. Scott
Max G. Scott, Member

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 31/78/E & 30/78/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan

W. Terry Coonan
Chairman
Board of Public Safety

6-27-78
DATE

MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 30/78/E ~~31/78/E~~)

I hereby certify that I did this 13th day of June, 1978 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 30/78/E 31/78/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as ~~Secretary~~ Chairman of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

W. Terry Coonan

~~Secretary~~ Chairman

REGULATORY RESOLUTION NO. 30/78/E

(Adopted June 12, 19 78)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandun dated June 9, 19 78, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective June 12, 19 78, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING (EMERGENCY)

The south drive of Shoaff Park -- south side -- from the main drive to 50 feet west of the entrance to Konklin Pavilion.

REGULATORY RESOLUTION NO. 31/78/E

(Adopted June 13 , 19 78)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTIONS 14/78/E & 16/78/E

NO PARKING (EMERGENCY) 14/78/E

NO PARKING (EMERGENCY) 16/78/E ; and,

WHEREAS, the City Traffic Engineer has, by written memorandun dated June 12 , 19 78, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective June 13 ,

19 78, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING (EMERGENCY) 14/78/E

New Haven Ave. -- north side -- from Lumbard St. to 320 ft. west thereof.

NO PARKING (EMERGENCY) 17/78/E

Casselwood Dr. -- south side -- from Hessen Cassel Road to Holgate Dr.

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
Long Range Planning & Zoning

21 June 1978

Members of the Common Council of the
City of Fort Wayne
City-County Building
Fort Wayne, IN 46802

Re: Bill No. Z-74-01-09
Rezoning from R3 to B1A

Gentlemen and Mrs. Schmidt:

The attached ordinance was originally forwarded to Council on September 26, 1975 with a DO NOT PASS recommendation. Council deferred action pending possible revisions in the City Zoning Ordinance which would allow home occupation beauty shops. Council requested that we contact the petitioner Mrs. Mary Johnson, and inform her of this action and how she could apply for a home occupation.

As you can see by the attached letter we contacted Mrs. Johnson but did not receive a response. We are therefore returning the ordinance to Council with our original DO NOT PASS recommendation.

Sincerely,

DIVISION OF LONG RANGE PLANNING & ZONING

Gary F. Baeten

Gary F. Baeten
Land Use Administrator

GFB:pb

Attachments

COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

November 14, 1975

Ms. Mary G. Johnson
240 E. Woodland Avenue
Fort Wayne, Indiana 46803

Dear Ms. Johnson:

We are presently holding a rezoning requested submitted by you on December 27, 1973. The City Plan Commission, subsequently deferred action on this request pending a possible revision of the City Zoning Ordinance which would allow home occupation beauty shops.

The City Plan Commission has recently passed an ordinance which allows beauty shops, which meet the criteria of a home occupation in any zone, following approval of the Board of Zoning Appeals.

We would appreciate hearing from you at your earliest convenience in order that we may process your application for a beauty shop and void the request we now have on file.

Sincerely,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten
Gary F. Baeten
Land Use Administrator

GFB:pr

an equal opportunity employer

COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

September 29, 1975

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-74-01-09

2. Intended Use: Beauty Shop

3. From: "R3" to "B1A"

4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

a. The "B1A" zoning classification is not compatible with the present zoning or uses in the immediate area.

b. Traffic and street capacity is a primary object of concern. The present width of improvement on Woodland is 24' with parking on both sides. There is no apparent way to provide off-street parking without derolition of residential structures.

c. At the present time, the petitioners can now apply thru the Board of Zoning Appeals for a beauty shop in the home as home occupation.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary Baeten (pr)
Gary Baeten
Land Use Administrator

GPB:pr
ATT.

cc: Mayor Ivan Lebamoff

an equal opportunity employer

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 22, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-01-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 18, 1974;

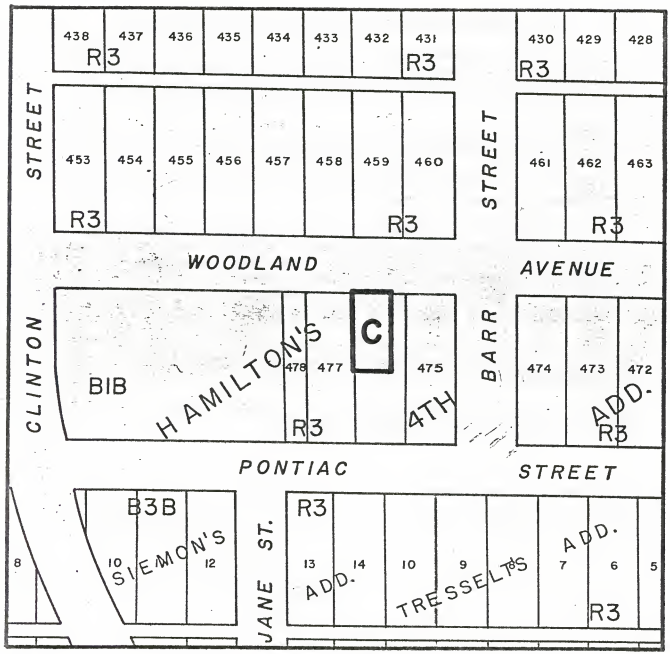
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the Fort Wayne City Plan Commission.

Certified and signed this
29th day of September, 1975.

Charles N. Hall
Secretary



C CHANGE FROM R3 TO BIA

Z-74-01-09

COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

September 29, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the City
of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-74-01-09

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of September, 1975.

Charles N. Hall
Secretary

an equal opportunity employer

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

community development & planning
Long Range Planning & Zoning

19 June 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

MADE A MATTER OF RECORD
DATE 6-27-78 CHARLES W. WESTERMAN, CITY CLERK

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-78-04-25

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
19th day of June 1978.

Luben Lazoff

Luben Lazoff
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

community development & planning
Long Range Planning & Zoning

19 June 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held May 22, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-78-04-25

2. From B1A to B1B

3. Intended Use: Professional Offices

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   This B-3-B zoning request is compatible with the surrounding area and a logical extension of an existing commercial district.

CONDITIONS:

1. The developer is to provide an agreement that a frontage road will be provided between this property and the property occupied by the Cork & Cleaver for ingress and egress purposes.

2. An agreement that the access geometrics into this property will comply with the City Traffic Engineer's recommendations.

AN EQUAL OPPORTUNITY EMPLOYER

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING
Division of Long Range Planning & Zoning

Gary F. Baeten
Land Use Administrator

GFB:pb

Attachments

DAVE FORD
TAZIAN'S ASSOC

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

AGREEMENT

MEISTER DEVELOPMENT CORPORATION, an Indiana Corporation, hereby agrees as follows:

That in the event an agreement between the Marriott Inn and the Cork & Cleaver to provide access from the Marriott Inn property to the Cork & Cleaver is not exercised, we shall provide new access to the Cork & Cleaver from the entrance to Stoney Creek Professional Village.

That the existing access to Stoney Creek Professional Village will be improved to provide a 15-foot ingress lane with a divider of 3-foot maximum width and provide two egress lanes 11 feet wide with properly marked lane lines, all as set out in the Memorandum dated May 18, 1978, from Walt Stout-Traffic Engineering to Gary Baeten-City Plan.

IN WITNESS WHEREOF, Robert L. Meister, President of Meister Development Corporation, has hereunto set his hand this 16 day of June, 1978.

MEISTER DEVELOPMENT CORPORATION

By: Robert L. Meister
Robert L. Meister, President

Sworn to and subscribed before me, a Notary Public, this 16 day of June, 1978.

Connie Underwood
Connie Underwood, Notary Public
I reside in Allen County, Indiana

My Commission Expires:

October 25, 1980

This instrument prepared by Robert L. Meister of Meister Development Corporation.

THE MEISTER DEVELOPMENT CORPORATION

June 13, 1978

Mr. Walt Stout
Traffic Engineering
City County Building
Fort Wayne, Indiana 46802

In re: Proposed Office Complex - Washington Center Road
Approximately 715 ft. West of Coldwater Road

Dear Mr. Stout:

In reference to Stoney Creek Professional Village, it is our understanding that some kind of access is to be granted to the Cork & Cleaver. It is our understanding that the Cork & Cleaver has temporary access from Washington Center Road which will be closed upon the exercise of an agreement between Azar and the Cork & Cleaver with access being granted the Cork & Cleaver from the Marriott property. It is our further understanding that if such an agreement is not exercised, I am obligated to provide new access to the Cork & Cleaver from the entrance to Stoney Creek Professional Village.

Very truly yours,

Robert L. Meister
President
Meister Development Corporation

RLM:cu

6010 EAST STATE BOULEVARD • FORT WAYNE, INDIANA 46815 • TELEPHONE: (219) 743-0378

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 25, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-04-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown forthe Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

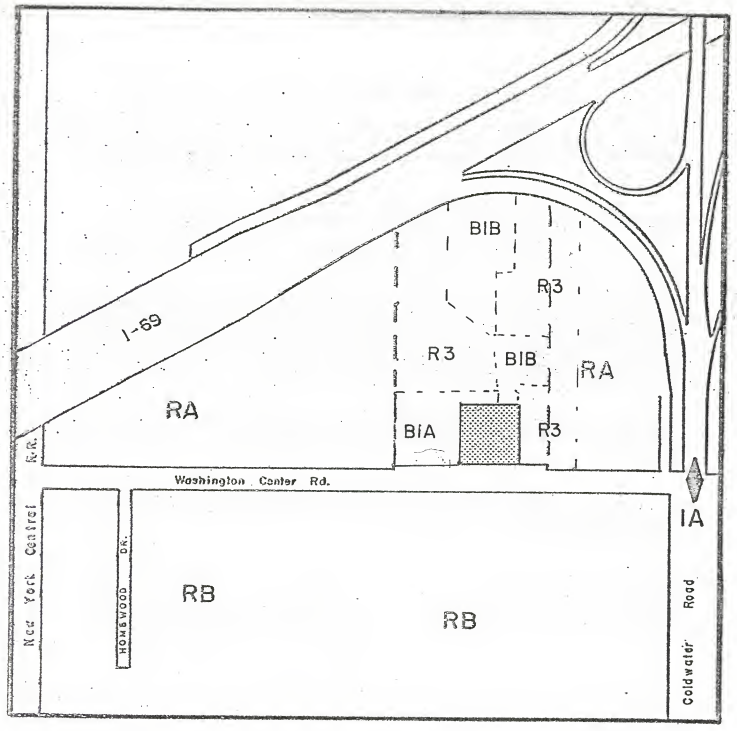
BE IT FURTHER RESOLBED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 22, 1978.

Certified and signed this
19th day of June, 1978.

Luben Lazoff

Luben Lazoff
Secretary



TO BE REZONED FROM BIA TO BIB

MAP NO. M-38

Z-78-04-25

N

BY M.F.C 4-11-78

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 27th day of June, 19 78 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 29th day of June, 1978.

Charles W. Westerman

Charles W. Westerman
City Clerk